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Attorneys for Defendant
MARVELL SEMICONDUCTOR, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FRANCE TELECOM S.A.,

Plaintiff,

vs.

MARVELL SEMICONDUCTOR, INC.,

Defendant.

Case No. 12-CV-04967 (WHO)

**DECLARATION OF BRIAN E. MACK IN
SUPPORT OF FRANCE TELECOM'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL**

1 I, Brian E. Mack, declare as follows:

2 1. I am an attorney licensed in good standing in the State of California.

3 2. I am an associate at Quinn Emanuel Urquhart & Sullivan, LLP (“Quinn Emanuel”),
4 and I represent Marvell Semiconductor, Inc. (“MSI”).

5 3. I submit this declaration in support of France Telecom’s Administrative Motion to File
6 Under Seal Documents (“Administrative Motion”) submitted in support of its Brief in Support of
7 Supplement to Expert Disclosure (“France Telecom Brief”). (D.I. 164.)

8 4. France Telecom’s Administrative Motion arose because the Court ordered France
9 Telecom to submit a copy of the expert infringement report of Prof. Michael Mitzenmacher
10 (“Mitzenmacher Report”), and the submission of the France Telecom Brief required France
11 Telecom to provide the Court with certain confidential information.

12 5. The confidential information that MSI seeks to seal includes: (1) information that has
13 been designated as “Highly Confidential” or “Highly Confidential – Attorneys’ Eyes Only” by
14 MSI pursuant to the Amended Protective Order entered into in this case (D.I. 126) and (2)
15 information that has been designated as “Highly Confidential” or “Highly Confidential –
16 Attorneys’ Eyes Only” by France Telecom S.A. (“France Telecom”) pursuant to the Amended
17 Protective Order.

18 6. More specifically, the sealed portions of the France Telecom Brief includes a portion of
19 France Telecom’s expert report, which France Telecom has designated “Highly Confidential –
20 Attorneys’ Eyes Only.” Those portions describe an internal architecture specification, which MSI
21 has designated “Highly Confidential – Attorneys’ Eyes Only” and details the operation and
22 circuitry of a MSI processor.

23 7. Exhibits 1 and 2 to the Koehl Declaration in Support of the France Telecom Brief are
24 copies of the Mitzenmacher report, as originally served and as supplemented by France Telecom
25 now. The report details the operation and circuitry of MSI processors, and also describes in detail
26 source code relating to MSI processors.

27 8. MSI has endeavored to keep this information confidential, and the public disclosure of
28 such information would put MSI at a competitive disadvantage.

